

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian J. Dorini on 4/2/2012.

Referring to Line 1 in claim 36, replace "A storage medium" with "A non-transitory computer readable storage medium".

Referring to Line 1 in claim 37, replace "The storage medium" with "The non-transitory computer readable storage medium".

Referring to Line 1 in claim 38, replace "The storage medium" with "The non-transitory computer readable storage medium".

### ***Allowable Subject Matter***

Claims 20, 23-29 and 32-38 are allowed.

The following is an examiner's statement of reasons for allowance:

Referring to independent claims 20, 29 and 36, the prior art of record fails to anticipate or render obvious the combined elements/steps of “comparing the synchronized first running elapsed scheduling time clock to the scheduled start time for the first program processing function, as time indicated by the synchronized first running elapsed scheduling time clock gets closer to the scheduled start time for the first program processing function” in conjunction with “comparing the synchronized second running elapsed scheduling time clock to the scheduled start time for the second program processing function, as time indicated by the synchronized second running elapsed scheduling time clock gets closer to the scheduled start time for the second program processing function”, as recited in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

As recited in Applicant’s specification at Page 13, Lines 20-24, “Controller 60 in other embodiments may create and maintain separate scheduling clocks and/or STT derived time reference and correction information associated with each program broadcast source (e.g. one clock for each broadcast source) using the method of steps 205-215”.

The amendments overcome the Young reference by reciting a first and second running elapsed scheduling time clock. Young only teaches a single running elapsed scheduling time clock.

The Examiner also notes the Marsh reference of record, which teaches multiple timers, however each timer fails to teach a first and second running elapsed scheduling time clocks and only teaches that the timer stores a future scheduled start time (**see Column 12, Lines 36-42**), therefore Marsh fails to teach that a first and second running elapsed scheduling time clocks are used for determining when a scheduled start time in the future occurs and comparing the synchronized first and second running elapsed scheduling time clocks to the scheduled start time for the first and second program processing functions.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON SALCE whose telephone number is (571)272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Salce/  
Primary Examiner, Art Unit 2421

Jason Salce  
Primary Examiner  
Art Unit 2421

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